

The Office Action mailed August 21, 2003, set a three-month shortened statutory period for response expiring November 21, 2003. Pursuant to the accompanying Request for Extension of Time under 37 C.F.R. 1.136(a), the period for response is extended to February 21, 2003. This amendment is therefore timely filed.

Claims 1, 3, 8, 11, 55, and 56 are in the application.

Said claims are rejected for obviousness-type double patenting over claim 2 of each of U.S. Patents Nos. 5,827,850 and 6,153,610. Enclosed herewith in accordance with 37 C.F.R. 1.321(c) is a Terminal Disclaimer with respect to U.S. 5,827,850 and U.S. 6,153,610. The rejection is therefore believed overcome.

Claim 1 is rejected under 35 U.S.C. § 112, second paragraph as being indefinite on the grounds that the term "R" which occurs in the definition of certain X substituents finds no basis in the formula.

In accordance with the amendment above, the term "R", occurring in substituents NHR and NRR which were cancelled from the definition of X by amendment filed April 28, 2003, has been deleted from claim 1. The rejection is therefore believed overcome.

There being no remaining issues, this application is believed in condition for allowance and such action is requested.

Respectfully submitted,

Dated: 2/19/04



PAUL E. DUPONT
Registration No. 27,438

Sanofi-Synthelabo Inc.
9 Great Valley Parkway
Malvern, PA 19355
Tel.: (610) 889-6338
Fax: (610) 889-8799